DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Rockville MD 20857

FOI

TRANSMITTED VIA FACSIMILE

MAY 10 1999

Shelley Reagan
Manager, Regulatory Affairs
The R.W. Johnson Pharmaceutical Research Institute
Division of Ortho Pharmaceuticals Corporation
920 Route 202 South
Raritan, NJ 08869-0602

RE: Leustatin(cladribine)
Duragesic CII (fentanyl transdermal system)
Ergamisol (levamisole HCL)
Sporanox (itraconazole)
Nizoral (ketoconazole)

NDA 20-229
MACMIS ID# 7920

Dear Ms. Reagan:

As part of its routine monitoring program, the Division of Drug Marketing, Advertising, and Communications (DDMAC) has become aware of promotional material for Leustatin (cladribine), Duragesic CII (fentanyl transdermal system), Ergamisol (levamisole HCL), Sporanox (itraconazole), and Nizoral (ketoconazole) disseminated by Ortho Pharmaceuticals (Ortho) that violates the Federal Food, Drug, and Cosmetic Act (Act) and its implementing regulations. Reference is made to Partners in Oncology Brochure (ONC-002), submitted under cover of Form FDA 2253 on March 25, 1999. DDMAC has reviewed this material and has determined that it is lacking in fair balance, or otherwise misleading. DDMAC requests that the use of the above referenced material and those containing similar claims or presentations cease immediately.

Lack of Fair Balance

Promotional materials are lacking in fair balance, or otherwise misleading if they fail to present information relating to the contraindications, warnings, precautions, and side effects associated with the use of the drug in a manner reasonably comparable to the presentation of efficacy information. In this brochure, Ortho makes several claims of effectiveness, yet provides no balancing risk information. The approved product

labeling for the aforementioned products includes a boxed warning (Leustatin, Duragesic CII, Sporanox, and Nizoral) and lists several precautions and adverse reactions associated with the use of the drugs.

Failure to Comply with 314.81 (b) (3) (i)

This violation is particularly troublesome because it went on for quite some time. The Form FDA 2253 indicated that the brochure was disseminated in May of 1998, yet the Form FDA 2253 was not submitted until May 25, 1999. The postmarketing reporting requirements of the Act[1] state that promotional labeling and advertising materials must be submitted to DDMAC on Form FDA 2253 at the time of initial dissemination.

Ortho should immediately cease using the referenced material and all other promotional materials containing the same or similar claims and presentations. Ortho should submit a written response to DDMAC, on or before May 24, 1999, describing its intent and plans to comply with the above. In its letter to DDMAC, Ortho should include a list of all promotional materials that were discontinued, and the discontinuation date.

If you have any questions, please contact the undersigned by telephone at (301) 827-2831, facsimile (301) 594-6771, or by written communication at the Division of Drug Marketing, Advertising, and Communications, HFD-40; Room 17B-20; 5600 Fishers Lane; Rockville, MD 20857. DDMAC reminds Ortho that only written communications are considered official.

In all future correspondence regarding this matter, please refer to MACMIS # 7920 and NDA 20-229.

Sincerely,

Michael A. Misocky R.Ph., J.D.
Regulatory Review Officer
Division of Drug Marketing,
Advertising and Communications

[1] 21 CFR 314.81 (b) (3) (i)